



Illinois Department of Natural Resources

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<http://dnr.state.il.us>

Pat Quinn, Governor
Marc Miller, Director

June 22, 2012

Mr. Scott Penny
Village of Fairmont City
2601 North 41st Street
Fairmont City, IL 62201

Mr. Scott Billings
SCI Engineering, Inc.
650 Pierce Boulevard
O'Fallon, IL 62269

**Re: Fairmont Wetland Interpretive Center & Construction of Recreational Lake – Fairmont City
Endangered Species Consultation Program
Project Number(s): 1210527
County: St. Clair**

Dear Mr. Penny and Mr. Billings:

The Department received a submission from SCI Engineering, Inc. via the Department's Ecological Compliance Assessment Tool (EcoCAT) website, on behalf of the Village, regarding this project in Sections 5 and 8, Township 2 North, Range 9 West for consultation in accordance with the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code* Part 1075.

The project is located south of I-55 and Outer Road, and north of Collinsville Road within a large wetland complex of which portions have been mitigated. The majority of the **Fairmont City Site Illinois Natural Area Inventory Site** lies within the western half of the project's footprint and there are numerous records of the Federal and State-listed threatened **Decurrent False Aster**, *Boltonia decurrens*, in the vicinity of the proposed project. There are also records of the State-listed endangered **Common Moorhen**, *Gallinula chloropus*, and **Little Blue Heron**, *Egretta caerulea* in the vicinity of this project.

Although the project title provided on the EcoCAT submission states that it is for a wetland interpretive center, no site plans regarding a 'center' were submitted for review. Rather, the project involves the creation of a large recreational lake via excavation of emergent, scrub-shrub, forested, open water/emergent wetlands and a drainageway to create a recreational lake on a 98.36 acre parcel; 33.60 acres of palustrine emergent, scrub-shrub wetland, and palustrine forested wetland will be impacted.

The revised project will result in impacts of 0.87 acres of wetland fill and 32.73 acres of wetland conversion to open water, with 2 islands, to provide recreational activities. Plans were revised to completely avoid the INAI Site and also include a raised boardwalk, 2 pavilions, parking area, access road, and an additional section of Mounds Heritage Trail. Approximately 65.63 acres of the site will be avoided, preserved and not disturbed.

The Village proposes to provide compensatory mitigation for impacts by constructing 28.37 acres of wetland habitat and 37.83 acres of lacustrine open water at an offsite location and preserving an onsite 27.13 acre hardwood forested wetland.

The Department has completed its review of the project and determined that the action may have an adverse impact on Decurrent False Aster, Common Moorhen, and Little Blue Heron populations. To minimize potential impacts, the Department recommends that the Village of Fairmont incorporate the following measures in its project authorization.

Decurrent False Aster

The Department's natural heritage database shows numerous records of this plant within the project polygon and northwest, west and south of the project. Populations are known to fluctuate greatly and can disappear and reappear depending on flood and drought regimes. This species thrives in situations that provide regular disturbance, high levels of light, moist soil, and elimination of competitive species. SCI Engineering surveyed for this plant in May 2010, outside of the flowering period for this species, and concluded that none were documented; the Department has not received a copy of survey report.

Recommendation #1. Conduct annual surveys within the Aster's flowering period (July – October) to determine whether any populations have re-established.

Recommendation #2. If discovered, implement a monitoring plan for a minimum of 5 years to determine whether new populations are stable or expanding.

Recommendation #3. Provide information from surveys (whether findings are positive or negative) and monitoring efforts, annually (sooner if plants are discovered), to consultation program staff referencing the above-noted project number.

Recommendation #4. If populations are discovered, colonies of *Boltonia* should be established in the wetland mitigation site, if suitable habitat exists, using same protocol that is within the Recovery and Monitoring Plan for *Boltonia decurrens*, FAP 999 (New Mississippi River Crossing) and FAP 14 (IL Route 3 Relocation).

Recommendation #5. Avoidance of herbicide use for weed control within or near populations (if discovered) because herbicides can kill this species and may be a factor in its decline.

Common Moorhen and Little Blue Heron

The Department's database shows a population of the Common Moorhen just east of the project and partially within the project footprint in the southeast corner. Records for the Little Blue Heron exist south of the project and this species is known to forage on the former DOT mitigation site east of this project. Moorhens prefer open water marsh habitats and build shallow platform nests slightly above the water and among robust emergent aquatic vegetation. Herons prefer hemi-marsh habitats and build nests in stands of trees~thickets and feed in shallow lagoon, marsh, and swampy areas. Once habitat is improved, both of these species could inhabit wetlands within the footprint.

Recommendation #1. All on-site personnel involved in the project should be educated on how to recognize both of these species. Color photos (of adults and juveniles) and educational materials regarding these birds should be distributed, discussed at pre-construction meetings, and displayed at work zones.

Recommendation #2. Conduct annual surveys for both listed bird species during the nesting season (April - July) to determine whether any populations have become established.

Recommendation #3. If discovered nesting, implement a monitoring plan for a minimum of 5 years to determine whether new populations are stable or expanding.

Recommendation #4. Provide information from surveys (whether findings are positive or negative) and monitoring efforts, annually (sooner if listed birds are discovered), to consultation program staff referencing the above-noted project number.

Recommendation #5. Rather than controlling or removing Common Reed (*Phragmites*) let these areas develop into hemi-marsh conditions to increase habitat for wetland birds that use this type of habitat. No *Phragmites* control should be conducted during these bird's nesting seasons.

Recommendation #6. The Department would like to stress that if either species is seen nesting during the construction phase, or during maintenance activities, there is the potential for incidental take to occur. 'Take' means, in reference to animals and animal products, to harm, hunt, shoot, pursue, lure, wound, kill, destroy, harass, gig, spear, ensnare, trap, capture, collect, or to attempt to engage in such conduct. If a population of either is confirmed within or adjacent to project footprint, work must immediately stop, and the Village would then need to consider obtaining Incidental Take Authorization from the Department's Office of Resource Conservation, pursuant to 520 ILCS 10/5.5.

Consultation on the part of the Department is completed. In accordance with 17 Ill. Adm. Code 1075.40(h), the Village of Fairmont must notify the Department of its decision regarding these recommendations, whether they will:

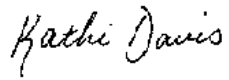
- Allow the action to proceed as originally planned;
- Require the action to be modified per Department recommendations (please specify which measures if not all will be required); or
- Forgo the action.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resources review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected species are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this consultation review.

Cordially,

A handwritten signature in cursive script that reads "Kathi Davis".

Kathi Davis
Division of Ecosystems and Environment
Impact Assessment Section
Office of Realty & Environmental Planning
217-785-5500

enclosure

cc: Mark Phipps, IDNR/Region IV/Natural Heritage
Kent Boyles, IDNR/Region IV/Wildlife
Pat Malone, IDNR/Impact Assessment Section
Debbie Scott Newman, Illinois Nature Preserves Commission